

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

This filing relates to the
Commonwealth, HTA, and ERS.

ORDER GRANTING SEVENTY-FOURTH OMNIBUS OBJECTION (SUBSTANTIVE) OF THE
COMMONWEALTH OF PUERTO RICO, PUERTO RICO HIGHWAYS AND TRANSPORTATION
AUTHORITY, AND EMPLOYEES RETIREMENT SYSTEM OF THE GOVERNMENT OF THE
COMMONWEALTH OF PUERTO RICO TO CLAIMS BASED ON INVESTMENTS IN MUTUAL FUNDS

Upon the Seventy-Fourth Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico, Puerto Rico Highways and Transportation Authority, and Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Claims Based on Investments in Mutual Funds (Docket Entry No. 8701 in Case No. 17-3283, the “Seventy-Fourth Omnibus

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”, and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the “Debtors”) (Bankruptcy Case No. 19-BK-5532-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Objection”),² dated September 12, 2019, of the Commonwealth of Puerto Rico (the “Commonwealth”), Puerto Rico Highways and Transportation Authority (“HTA”), and Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”), for entry of an order disallowing in their entirety certain claims filed against Commonwealth, as more fully set forth in the Seventy-Fourth Omnibus Objection and supporting exhibits thereto; and the Court having jurisdiction to consider the Seventy-Fourth Omnibus Objection and to grant the relief requested therein pursuant to PROMESA section 306(a); and venue being proper pursuant to PROMESA section 307(a); and due and proper notice of the Seventy-Fourth Omnibus Objection having been provided to those parties identified therein, and no other or further notice being required; and no response or objection to the Seventy-Fourth Omnibus Objection having been interposed; and the Court having determined that the claims identified in Exhibit A hereto seek recovery of amounts for which the Commonwealth is not liable; and the Court having determined that the relief sought in the Seventy-Fourth Omnibus Objection is in the best interests of the Commonwealth, its creditors, and all the parties in interest; and the Court having determined that the legal and factual bases set forth in the Seventy-Fourth Omnibus Objection establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is hereby

ORDERED that the Seventy-Fourth Omnibus Objection is GRANTED as set forth herein; and it is further

ORDERED that the claims identified in Exhibit A hereto are hereby disallowed in their entirety; and it is further

² Capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Seventy-Fourth Omnibus Objection.

ORDERED that Prime Clerk, LLC, is authorized and directed to delete the claims identified in Exhibit A hereto from the official claims register in the Title III Case; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

This Order resolves Docket Entry No. 8701 in Case No. 17-3283.

SO ORDERED.

Dated: November 18, 2019

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge